

## IN THE UNITED STATES COURT OF FEDERAL CLAIMS

RDA CONSTRUCTION CORP.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 11-555C
	)	(Judge Braden)
THE UNITED STATES,	)	
	)	
Defendant.	)	

**PLAINTIFF'S EXHIBIT LIST**

Plaintiff, RDA Construction Company ("RDA"), submits the following list of trial exhibits.

<b>Trial Exhibit No.</b>	<b>Description</b>
1	Solicitation, Offer, and Award (Construction, Alteration, or Repair) [Depex. 8]
2	NAVFAC Mid Atlantic Solicitation, Offer, and Award [Depex. 1]
3	Cost Detail Estimate [Depex. 12]
4	Abstract of Offers - Construction [Depex. 62]
5	Amendment of Solicitation/ Modification of Contract executed 6/30/2009 re potential bidders [Depex. 58]
6	Amendment of Solicitation / Modification of Contract executed 7/7/2011 re Obstructions Encountered During Installation of Sheet Piles [Depex. 184]
7	Drawing Set for P-469 Waterfront Improvements, Naval Station Newport, RI [Depex. 11]
8	All Contract Modifications Issued to RDA Construction
9	NAVFAC Specifications for Work Order No. 794165, Waterfront Improvements at Naval Station, Newport, R.I.
10	Reserved
11	RDA Construction Payment Applications
12	NAVFAC Underwater Facilities Inspection & Assessments by Appledore Marine Engineering, Inc. dated April, 2005 [Depex. 77]
13	Unified Facilities Guide Specifications, UFGS-02 41 00, October 2006
14	United Facilities Guide Specifications July 2013 (Depex. 615]
15	Kickoff Meeting Minutes dated 5/15/2008 [Depex. 67]
16	Order for Supplies or Services executed 5/27/2008 [Depex. 68]

17	Report dated 7/22/2008 from FST Engineers to NAVFAC re Charrette Inbrief [Depex. 158]
18	E-mail dated 8/27/2008 from David Anderson to Cynthia De Jong re Record of Telephone Call August 27, 2008 [Depex. 71]
19	Existing Wharf Evaluation dated 8/29/2008 by FST, LLC [Depex. 79]
20	Letter dated 2/2/2009 from Travis Germano to Michael Hartman re Submission of Baseline Schedule - Letter of Concern [Depex. 99]
21	Letter dated 2/8/2009 [sic] from Karen Sampson to Michael Hartman re Review of Letter RDA - 002 [Depex. 93]
22	Pre-bid photographs of Wharf
23	Letter dated 6/26/2009 from NASDI to Gene Kelley re: Pier Demolition Proposal [Depex. 3]
24	Memorandum dated 6/30/2009 from Hub Foundation Co., Inc. to American Bridge Company, Attn: Estimating re Proposal [Depex. 63]
25	Letter dated 7/30/2009 from William Reagan to Bruce Wood re Waterfront Improvements at Naval Station Newport RI [Depex. 346]
26	E-mail dated 10/2/2009 with attachment from Drew Floyd to Mike Hartman re Drill rig - platform schematic [Depex. 16]
27	E-mail b/w Siva and Hartman dated 11/11/2009; [Depex. 457; RDA 044776]
28	Germano E-mail dated 11/18/2009 enclosing Appledore Report [Depex. 451; US 0000468-502]
29	Letter RDA - 001 from Michael Hartman to Travis Germano re E-mail Correspondence from Travis Germano Dated 11/18/09 [Depex. 162]
30	Letter RDA - 002 dated 11/20/2009 from Michael Hartman to Nancy Van Gelder re NAVFAC Response Letter Dated December 9, 2009 [Depex. 171]
31	E-mail chain dated 11/24/2009 from Travis Germano to Frank Stich, David Anderson and Boris Shilman re P-469 2005 Waterfront Marginal Wharf Inspection Report [Depex. 168]
32	E-mail chain dated 11/24/2009 from Frank Stich to Boris Shilman re Change Notification Deficient Wharf Letter [Depex. 169]
33	E-mail chain dated 12/2/2009 from Boris Shilman to Frank Stich re Change Notification Deficient Wharf [Depex. 170]
34	Letter dated 12/9/2009 from Karen Sampson to Michael Hartman re RDA Letter of 20 Nov 2009 [Depex. 17]
35	Draft Letter dated 12/16/2009 from NASDI to Michael Hartman re Demolition from Barges Estimated Cost and Time Impacts [Depex. 5]
36	Letter dated 12/18/2009 from NASDI to Michael Hartman re: Newport Pier Deck Demolition Proposal [Depex. 6]
37	E-mail chain dated 12/28/2008 with attachment from Mike Hartman to Nancy Van Gelder re: Response to NAVFAC letter dated 12/9/09 [Depex. 18]
38	Demo Plan Calculations dated 2/22/2010 by Martel Engineering, Inc. [Depex. 20]

39	Letter RDA - 008 dated 2/25/2010 with attachment from Michael Hartman to Karen Sampson re Letter dated February 8, 2010 [Depex. 94]
40	E-mail dated 4/21/2010 with attachment from Mike Hartman to Karen Sampson re Claim Certification Request [Depex. 128]
41	Rachupka to Hartman dated 5/17/2010 [Depex. 455; US 018221]
42	Letter RDA - 018 dated 5/24/2010 from Michael Hartman to Karen Sampson re Demolition Claim due to 2005 Marginal Wharf Inspection Report [Depex. 96]
43	E-mail dated 5/24/2010 from Mike Hartman to Karen Sampson re Update on Demolition Issues [Depex. 131]
44	Letter RDA - 018 dated 5/24/2010 from Michael Hartman to Karen Sampson re Demolition claim due to 2005 Marginal Wharf Inspection Report [Depex. 175]
45	Letter dated 5/25/2010 from Karen Sampson to Michael Hartman re Response to 5/24/2010 claim letter [Depex. 132]
46	Letter RDA - 022 with attachments dated 7/8/2010 from Michael Hartman to Karen Sampson [Depex. 84]
47	Letter RDA - 021A dated 7/12/2010 from Michael Hartman to Karen Sampson re Additional Known Impacts due to 2005 Marginal Wharf Inspection Report [Depex. 116]
48	Letter dated 8/31/2010 from Department of The Navy re Review of Certified Claim 4/19/2010 [Depex. 133]
49	Letter RDA - 043 dated 11/19/2010 from Michael Hartman to Craig Rachupka re Cost Impacts Drilling King Piles from Barge [Depex. 118]
50	Letter dated 6/14/2011 from Eugene Kelley to The Hon. Stephen F. Lynch re RDA Contract Dispute with U.S. Navy [RDA 063240 - RDA 063242]
51	Memorandum dated 2/22/2012 from Marc Nicolazzo to File re P-469 - Con Phase Site Visit [Depex. 325]
52	E-mail dated 3/5/2012 from Travis Germano to Ansley Marr re P-469 Field Memo for Feb 22 [Depex. 324]
53	E-mail chain dated 8/6/2012 from Erick Cooper to Craig Rachupka re P-469 Waterfront Improvements [Depex. 206]
54	Summary of Monetary Claim for Work Impacted by the Appledore Report [Depex. 13]
55	P-469 Waterfront Improvement Turnover Sheet [Depex. 134]
56	Email b/w Siva and Hartman 1.19.10 [Depex. 462]
57	E-mail from Germano to Hartman dated 1/27/2010 [Depex. 465]
58	Conditional Approval 016b [Depex. 468]
59	Rachupka Letter dated 5/13/2010 [Depex. 474; US018222-18224]
60	Invoice 6A with certification dated 11/29/2010 [Depex. 476; US024584-24590]
61	Letter dated 11/19/2010 from Michael Hartman to Craig Rachupka re Obstructions Preventing Completion of S. Bulkhead Sheet Pile [Depex. 107]

62	Letter RDA - 045 with attachment dated 12/14/2010 from Michael Hartman to Craig Rachupka re Deteriorated Condition of Existing Sheet Pile [Depex. 108]
63	E-mail chain dated 3/9/2011 from David Anderson re Continual Problems w/Obstructions & Deteriorated Existing Sheets [Depex. 81]
64	Letter dated 3/10/2011 from Karen Sampson to Michael Hartman re Response to Letter RDA - 053 [Depex. 109]
65	Letter dated 3/10/2011 from Karen Sampson to Gene Kelley re Response to RDA - 053 [Depex. 136]
66	Letter RDA - 055 from Michael Hartman to Karen Sampson re Additional Response to Government Letter Ser FEAD/L6211 dated 3/10/2011 [Depex. 110]
67	E-mail chain dated 5/11/2011 from Craig Rachupka to Erick Cooper re P-469 Funds Request for 2 Critical Path Mods [Depex. 304]
68	Amendment of Solicitation/ Modification of Contract executed 7/7/2011 re obstructions encountered during installation of sheet piles [Depex. 111]
69	Amendment of Solicitation/ Modification of Contract executed 8/19/2011 re differing site conditions [Depex. 112]
70	Letter dated 1/27/2012 from Karen Sampson to Eugene Kelley [Depex. 141]
71	Amendment of Solicitation/ Modification of Contract executed 4/13/2012 re revised drill pattern and additional time and materials [Depex. 113]
72	E-mail chain dated 8/14/2012 from Gene Kelley to Karen Sampson re Additional Construction Drilling [Depex. 185]
73	Amendment of Solicitation/ Modification of Contract executed 8/17/2012 re drill obstruction at north and south bulkheads [Depex. 114]
74	E-mail chain dated 8/17/2012 from Boris Shilman to Travis Germano re P469 - Obstruction Drilling (Mod 9) [Depex. 166]
75	E-mail chain dated 8/20/2012 from Karen Sampson to Jeffrey Welch re modifications [Depex. 142]
76	Amendment of Solicitation/ Modification of Contract [Depex. 115]
77	E-mail chain dated 11/13/2012 from Gerard Montani re Completion Date for the Marginal Wharf [Depex. 224]
78	E-mail dated 11/27/2012 from Mark Wallis to Travis Germano dated 11/27/2012 re Additional Drilling [Depex. 223]
79	E-mail dated 1/10/2013 from Erin Sanders to Ryan Tibbets re P - 469 Status [Depex. 227]
80	E-mail chain dated 1/23/2013 from Erick Cooper re P-469 North Bulkhead - Work Point 7A & Return Wall [Depex. 312]
81	E-mail chain dated 1/29/2013 from Craig Rachupka to Travis Germano re Financial Status [Depex. 226]
82	Letter RDA - 173 from Mark Wallis to Craig Rachupka re Letter RDA - 135 dated 5/10/2012, Contract Modification P00009 [Depex. 225]
83	Letter RDA - 184 with attachments dated 4/1/2013 re Additional Cost of Delayed Issue of Contract Modifications [Depex. 183]

84	E-mail chain from Karen Sampson re Notice of Claim PCO-50 Delayed Issue of Contract Modifications [Depex. 264]
85	Time Line #2 - Obstruction Drilling [RDA 043796 - RDA 043925]
86	Pre-Negotiation Memo re Extension of Bulkhead at WP 5 and WP 7 [Depex. 137]
87	Monthly Schedule Narrative Update 21 [Depex. 475; US074451-74455]
88	North Bulkhead Videos
89	Letter RDA - 025 dated 7/26/2010 from Michael Hartman to Karen Sampson [Depex. 279]
90	E-mail chain dated 8/4/2010 from Don Harvie to Craig Rachupka re Letter on Pile Pulling - Follow up [Depex. 245]
91	Letter RDA - 058 dated 4/4/2011 from Eugene Kelley to Craig Rachupka [Depex. 98]
92	Draft Letter RDA - 146 dated 6/14/2012 revised 8/10/2012 re Outstanding Contract Issues [Depex. 219]
93	Opinion of Cost for Deducts with attachment dated 8/24/2012 [Depex. 601]
94	Letter RDA - 155 with attachment dated 9/17/2012 from Mark Wallis to Craig Rachupka re Outstanding Contract Issues [Depex. 104]
95	E-mail chain dated 11/6/2012 with attachment from Craig Rachupka to Karen Sampson re H Pile Extraction Letter 10-12-12 [Depex. 272]
96	Letter dated 11/7/2012 with attachment from Karen Sampson to Gene Kelley re Letter RDA - 098 [Depex. 98]
97	Letter RDA - 168 with attachment dated 1/18/2013 from Mark Wallis to Karen Sampson re Pile Extraction Variance [Depex. 178]
98	E-mail dated 1/23/2013 from Craig Rachupka to Erick Cooper re Atty Client Priv P-469 H-Pile Issue [Depex. 318]
99	E-mail dated 1/23/2013 from Travis Germano re Meeting Announcement and Agenda [Depex. 321]
100	E-mail from Louis Vinciguerra to Jonathan Peters dated 1/28/2013 re: potential impact of delays [Depex. 378]
101	E-mail dated 1/29/2013 from Travis Germano re P- 469 Financial Position? [Depex. 222]
102	Remaining Scope P469 dated 1/30/2013 [Depex. 603]
103	FST remaining scope dated 2/11/2013 [Depex. 604]
104	Memo of Meeting on 3.7.13 [Depex. 607]
105	Remaining Scope 3/13/13 w/ notes [Depex. 608]
106	Peters to Ahearn 3.25.13 w/ scope [Depex. 610]
107	Completion Drawings 3.28.13 w/ notes [Depex. 611]
108	Cost Estimate Summary 3.29.13 [Depex. 616]
109	E-mail dated 4/2/2013 with attached drawing set from Craig Rachupka to Jonathan Peters [Depex. 380]

110	Anderson to Navy 4.2.13 [Depex. 614]
111	Time Line #1 dated 5/8/2013 re Pile Variance Request [RDA 042301 - RDA 042352]
112	E-mail dated 6/16/2014 from Craig Rachupka re RFI - 022 existing Water-Side Steel Piles Cutoff Request [Depex. 322]
113	Haskell RFI 22 [Depex. 241]
114	E-mail dated 6/26/2014 from Craig Rachupka to Jonathan Peters with attachment re Responses to RFI's 21 & 22 [Depex. 394]
115	E-mail chain dated 1/16/2015 from Jonathan Peters to Travis Germano re Meeting Today [Depex. 360]
116	E-mail from Jonathan Peters to Craig Rachupka and others dates 1/19/2015 re Meeting Requests [Depex. 404]
117	E-mail from Jonathan Peters to Charles Bateh dated 1/21/2015 re 469 Work this week [Depex. 406]
118	E-mail chain dated 1/23/2015 from Robert Wadsworth re: P-469 H Pile Removal [Depex. 362]
119	E-mail from Jonathan Peters to Garrett Sigler dated 5/13/2015 re P469 Water-side work [Depex. 419]
120	E-mail from Jonathan Peters to Craig Rachupka and others dated 6/16/2015 re P469 Waterfront Improvements: Pile Extraction [Depex. 420]
121	E-mail from Jonathan Peters to Craig Rachupka dated 7/8/2015 re Waterside Work [Depex. 421]
122	Memorandum dated 7/10/2015 from Larry Ahearn to Jonathan Peters [Depex. 366]
123	Letter with attachments from Jonathan Peters to Leslie Brazil dated 7/16/2015 [Depex. 422]
124	E-mail with attached photographs from Jonathan Peters to Craig Rachupka and others dated 7/17/2015 re GAIC's approval of Contractor's June, 2015 payment request for Water-Side Work [Depex. 423]
125	E-mail with attachment dated 8/10/2015 from Reagan Construction Corp. to Jonathan Peters re P - 469 Pile Extraction Log 8-11-15 [Depex. 370]
126	Haskell spreadsheet re estimate to complete extraction dated 8/14/2015 [Depex. 426]
127	Letter dated 8/17/2015 from Shannon Reagan to Jonathan Peters re quote [Depex. 372]
128	E-mail change from Jonathan Peters to David Nimmich, Esq. dated 8/27/2015 [Depex. 428]
129	Mutual Release Agreement between Great American Insurance Company, Haskell Co. And the United States of America
130	Color Photo of rusted pile [Depex. 408]
131	Color Photo of rusted pile [Depex. 409]
132	Color Photograph of rusty piece of pile [Depex. 410]
133	Color Photograph of cut pile with angles attached [Depex. 411]



134	Color Photograph of drilled and anchored rock [Depex. 412]
135	Photograph [Depex. 413]
136	RDA Construction Pile Installation Log
137	Letter RDA - 066A with attachments dated 5/5/2011 from Eugene Kelley to Craig Rachupka re Approval for Alternate Safety Supervisor SSHO [Depex. 122]
138	Letter RDA - 077 from Eugene Kelley to Kimberly Choplin dated 7/7/2011 re Approval of Lynda Amarantes as SSHO/QC Manager [Depex. 124]
139	Letter RDA - 094 from Eugene Kelley to Craig Rachupka re Alternate Quality Control Manager [Depex. 119]
140	E-mail dated 1/4/2012 from Mark Wallis to Craig Rachupka re Recovery of Proud Mary [Depex. 51]
141	Letter RDA - 106 dated 1/6/2012 from Mark Wallis to Craig Rachupka re Notice of Delay - Recovery of Push Boat [Depex. 54]
142	Letter dated 1/19/2012 from Kimberly Choplin to Gene Kelley re Mark Wallis as QC Manager [Depex. 120]
143	Letter dated 1/23/2012 with attachment from Kim Choplin to Gene Kelley re letter of 1/6/2012, sunken push boat [Depex. 55]
144	Letter RDA - 119 dated 2/2/2012 from Mark Wallis to Craig Rachupka re Notice of Delay - Delayed Response to Rejection of Mark Wallis as QC Manager [Depex. 121]
145	Letter dated 6/7/2012 from Mark Wallis to Craig Rachupka with attached Additional Overhead Due to Delayed Response to QCM Approval [Depex. 125-126]
146	E-mail dated 8/3/2012 from Craig Rachupka to Stephen Ericson re: Photogs of Existing Bulkhead at Rip Rap Areas [Depex. 165]
147	Letter dated 1/31/2013 from Karen Sampson to Eugene Kelley re Letter RDA - 169 [Depex. 182]
148	Letter RDA - 178 with attachments dated 3/18/2013 from Mark Wallis to Karen Sampson re Notice of Claim PCO - 047, Additional Cost for Manitowoc 4100W Re-Inspection [Depex. 181]
149	Letter RDA - 176 with attachments dated 3/20/2013 from Mark Wallis to Karen Sampson re Notice of Claim PCO - 045 [Depex. 267]
150	Letter RDA - 179 with attachments dated 3/20/2013 from Eugene Kelley to Karen Sampson re Additional Cost for Delayed Response to RFI - 26 [Depex. 269]
151	Letter RDA - 181 dated 3/22/2013 from Eugene Kelley to Karen Sampson re Revised Notice of Claim Letters [Depex. 333]
152	Time Line #3 dated 5/15/2013 re Annual Crane Inspection [RDA043926 - RDA044065]
153	Time Line #4 re Delayed Rejection of SSHO [RDA 042855 - RDA 043012]
154	Time Line #5 dated 5/19/2013 re Delayed Response to RFI - 26 [RDA 044066 - RDA 044151]

155	Time Line #6 dated 5/19/2013 re Revised Base Access - RapidGate [RDA 043013 - RDA 043070]
156	Time Line #7 dated 5/22/2013 re Delayed Approval of QCM [RDA 043713 - RDA 043795]
157	Time Line #8 dated 5/23/2013 re Delayed Recovery of Proud Mary [RDA 043125 - RDA 043347]
158	Letter dated 5/24/2013 from Kimberly Kahler to Eugene Kelley re Certified Claims [Depex. 268]
159	Time Line #9 dated 5/24/2013 re Interference Batter Piles vs. Soil Anchors [RDA 043071 - RDA 043124]
160	Time Line #10 dated 5/28/2013 re Revised Closure Details at Workpoints [RDA 041469 - RDA 041580]
161	Time Line #11 re Delayed Approval of SSHO / QCM [RDA 044210 - RDA 044394]
162	Letter RDA - 191 with attachments dated 7/3/2013 from Eugene Kelley to Kimberly Kahler [Depex. 270]
163	Letter dated 9/26/2013 from Kimberly Kahler to Eugene Kelley re 7/3/2013 Claim [Depex. 271]
164	Plaintiff RDA Construction Corporation's Answers and Objections to Defendant's Third Set of Interrogatories [Depex. 335]
165	Equipment Rental Rates, November 2009 [Depex. 49]
166	Letter re RDA-089 [Depex. 436]
167	Letter dated 6/20/2012 signed by Karen Sampson to Gene Kelley re Receipt of Updated Construction Schedule [Depex. 139]
168	Letter dated 1/31/2013 from Kimberly Kahler to Eugene Kelley re Show Cause Letter [Depex. 179]
169	Letter dated 2/1/2013 from Eugene Kelley to Kimberly Kahler re Show Cause Letter [Depex. 180]
170	Draft Letter dated 7/31/2012 from Karen Sampson to Gene Kelley re updated construction schedule [Depex. 188]
171	E-mail dated 10/11/2012 from Craig Rachupka to Travis Germano re Forbearance Letter for Updated Schedule 9/17/12 [Depex. 190]
172	E-mail from Craig Rachupka to Robert Wadsworth dated 12/5/2012 re Forbearance Letter for Updated Schedule 9/17/12 [Depex. 191]
173	E-mail chain dated 12/5/2012 from Craig Rachupka to Robert Wadsworth re Forbearance Letter for Updated Schedule 7/26/12 [Depex. 192]
174	E-mail dated 1/17/2013 from Craig Rachupka to Robert Wadsworth re Forbearance Letter for Updated Schedule [Depex. 193]
175	E-mail dated 1/9/2013 from Karen Sampson to Craig Rachupka re Negotiation Meeting on Tuesday, 15 Jan 13 at 1300 hrs. [Depex. 194]
176	Letter with attachments dated 2/21/2013 from Kimberly Kahler to Eugene Kelley re Notice of Termination [Depex. 198]
177	E-mail chain dated 5/23/2012 from Craig Rachupka to Travis Germano re P - 469 Waterfront Improvements Project [Depex. 199]



178	E-mail chain from Daniel Sullivan re Newport Marginal Wharf - Descoping Items [Depex. 201]
179	E-mail chain dated 7/2/2012 from Gerard Montani re Pier 2 Load Capacity Study [Depex. 203]
180	E-mail dated 8/3/2012 with attached photographs from Travis Germano to Gerard Montani re Photos of Existing Bulkhead at Rip Rap Areas for P - 469 [Depex. 205]
181	Letter dated 8/28/2012 from Karen Sampson to Gene Kelly re Cost Proposal [Depex. 209]
182	Letter RDA - 184 dated 8/31/2012 with attachments from Mark Wallis to Karen Sampson re RFP - 010 Letter [Depex. 214]
183	E-mail dated 8/21/2012 from Erick Cooper re Deletion of Scope [Depex. 215]
184	E-mail chain dated 8/24/2012 from David Anderson re Deletion of Work Estimates [Depex. 216]
185	Tender Agreement executed 12/20/2013 [Depex 232]
186	Memorandum dated 7/30/2014 from Jeff Welch to Jonathan Peters re P - 469 Completion Contract [Depex. 233]
187	E-mail chain with attachments dated 4/2/2013 from Craig Rachupka to Leonard Topp re Scope of Work to Complete P - 469 4/2/13 [Depex. 237]
188	E-mail with attachment dated 4/2/2013 from Craig Rachupka to Jonathan Peters re P - 469 Scope of Work to Complete Remaining Work & Deficiencies [Depex. 238]
189	Letter dated 7/29/2014 from Jonathan Peters to Kimberly Kahler and Garrett Sigler re delays [Depex. 240]
190	E-mail chain from David Nimmich, Esq. with attachment dated 3/14/2013 re Scope of Work to Complete Project & Haskell Contact Info [Depex. 248]
191	E-mail dated 2/14/2013 from Craig Rachupka to John Lambalot re P - 469 RDA Resuming Obstruction Drilling Ops at WP7 [Depex. 256]
192	E-mail chain from Craig Rachupka to Travis Germano re Forbearance Letter for Updated Schedule 9/17/2012 [Depex. 257]
193	E-mail chain dated 12/5/2012 from Craig Rachupka to Robert Wadsworth re Forbearance Letter for Updated Schedule 9-17-12 [Depex. 258]
194	E-mail chain dated 12/5/2012 from Craig Rachupka to Robert Wadsworth re Forbearance Letter for Updated Schedule 7-26-12 [Depex. 259]
195	E-mail dated 1/17/2013 from Craig Rachupka to Robert Wadsworth re Forbearance Letter for Updated Schedule [Depex. 260]
196	E-mail chain dated 1/29/2013 from David Greenfield to Keith Barbish re P-469 USCG Contact Info [Depex. 265]
197	E-mail chain with attachment dated 2/7/2013 from L Tanya Simms re Final Minutes of Coordination Meeting [Depex. 266]
198	Letter dated 2/21/2013 from Kimberly Kahler to Jeff Woodward re Notice of Termination [Depex. 273]
199	Letter dated 5/24/2013 from Kimberly Kahler to Garrett Sigler re Tender Agreement [Depex. 276]

200	Solicitation, Offer and Award executed 3/4/2014 [Depex. 278]
201	E-mail chain dated 6/6/2013 from David Nimmich, Esq. to Garrett Sigler and Kimberly Kahler re Updated Tender Agreement [Depex. 283]
202	E-mail chain dated 9/26/2013 from Craig Rachupka re Underwater Survey Performed by Semper Diving [Depex. 290]
203	Letter with attachment dated 5/14/2014 from Hindshaw & Culbertson, LLP to Daniel B. Volk, Esq. re Tender Agreement [Depex. 295]
204	E-mail chain dated 7/10/2014 from David Nimmich, Esq. re P-469 Schedule [Depex. 297]
205	E-mail dated 7/18/2014 from David L. Nimmich, Esq. to Garrett Sigler re Water-side Work [Depex. 298]
206	E-mail dated 7/31/2014 with attachment from Jonathan Peters re P-469 Waterfront Improvements: Notice Letter and Alternative Debris Removal Discussion Letter [Depex. 299]
207	Demolition debris photograph dated 4/16/2010 [Depex. 388]
208	Demolition debris photograph dated 5/10/2010 [Depex. 387]
209	E-mail from Garrett Sigler to Jonathan Peters dated 8/1/2013 attaching RDA Demolition Photos [Depex. 386]
210	E-mail from Garrett Sigler to Jonathan Peters dated 8/1/2013 attaching RDA Sawcut and debris photos [Depex. 389]
211	Waterside Agreement dated 12/20/2013 [Depex. 377]
212	E-mail dated 6/27/2014 from Jonathan Peters to Craig Rachupka with attachment re Waterside Work Agreement [Depex. 396]
213	Letter dated 7/28/2014 from Larry Ahearn to Jonathan Peters re discussion of removal methods for P469 project [Depex. 397]
214	E-mail with attached drawing from Jonathan Peters to Craig Rachupka dated 8/14/2014 re P469 Rock and Sediment removal plan [Depex. 398]
215	Letter from Jonathan Burwood, Esq. to David Nimmich, Esq., Esq. dated 11/3/2014 [Depex. 400]
216	E-mail dated 1/20/2015 from Jonathan Peters to David Nimmich, Esq. re Water-Side Agreement Billing Summary and Backup through 12/30/2014 [Depex. 405]
217	E-mail from Peters to Rachupka dated 2/13/2015 enclosing photographs of Pile 30B [Depex. 702]
218	E-mail dated 8/18/2015 from Gregory Koger, Esq. to Jonathan Burwood, Esq.
219	Letter with attachments dated 8/24/2015 from Jonathan Burwood, Esq. to David Nimmich, Esq. [Depex. 429]
220	Letter dated 8/28/2015 from Reagan Construction Corp to The Haskell Company [Depex. 705]
221	E-mail chain including 8/27/2015 communication from Jonathan Peters to David Nimmich, Esq. [Depex. 711]
222	Letter dated 9/4/2015 from The Reagan Company to The Haskell Company [Depex. 706]

223	Letter dated 9/8/2015 from Jonathan Peters to David Nimmich, Esq. and Jonathan Burwood, Esq. [Depex. 715]
224	E-mail dated 9/9/2015 from David Nimmich, Esq. to Gregory Koger, Esq. [Depex. 712]
225	E-mail dated 9/14/2015 from Jonathan Peters to The Reagan Company [Depex. 710]
226	Letter dated 9/18/2015 from Reagan Construction Corp to The Haskell Company [Depex. 707]
227	Letter dated 9/22/2015 from Reagan Construction Corp to The Haskell Company [Depex. 708]
228	Subcontract modification dated 10/6/15 [Depex. 709]
229	Haskell Debris Log [Depex. 701]
230	Haskell's log of soil piles A & D [Depex. 700]
231	Soil Export Log, Catalano Construction, Inc., Spreadsheet
232	Rachupka to D. Anderson dated 5/31/2012 [Depex. 600]
233	Scope of Work Cost Estimate dated 3/29/2013 [Depex. 613]
234	Time Line #12 dated 5/30/2013 re Termination Cost and Demobilization [RDA 044152 - RDA 044209]
235	RDA's Claim Related to NAFAC's Wrongful Termination and Breach of Contract Narrative dated 7/3/2013 with attached Appendices, Summaries and Support Documents [RDA 047349 - RDA 047653]
236	Letter dated 7/16/2015 from Jonathan Peters of Haskell to Leslie Brazil
237	RDA Construction Monthly Schedule Narrative Updates Nos. 1 - 21 dated 5/19/2010 through 2/4/2013
238	SureTrack Project Manager Scheduling Report RB21 dated 2/5/2013
239	RDA Construction Cost Report Summary [RDA 039789 - RDA 039888]
240	RDA Construction Cost Report [RDA 039899 - RDA 040781]
241	RDA Construction Daily Production Reports [RDA 040782-RDA 041456; RDA 080586-RDA 080685]
242	Original Baseline Schedule [RDA 047376 – RDA 047398]
243	Adjusted Baseline Schedule [RDA 047400 – RDA 047424]
244	Impact Baseline Schedule [RDA 047426 – RDA 047433]
245	All Primavera Project Scheduling and Planning Reports
246	Critical Path Method Schedules RN00 - RN21 for period 9/30/2009 through 2/5/2013
247	RDA Construction RFI's [RDA 037185 - RDA 037416]
248	RFI Log [RDA 037183 - RDA 037184]
249	P469 Waterfront Improvement Project Submittal Register
250	RDA serial letters RDA - 001 through RDA - 191

251	Reagan Daily Contractor Reports
252	Haskell Daily Contractor Reports
253	All RDA Construction Photographs
254	All QC/Production Meeting Minutes
255	Letter dated 8/24/2015 from Jonathan Burwood, Esq. to David Nimmich, Esq. and Gregory Koger, Esq. re Settlement Communication
256	Judgment in the matter of Great American Insurance Company v RDA Construction filed 9/3/2015

Plaintiff reserves the right to use any exhibits listed in Defendant's Exhibit List. Plaintiff also reserves the right to use demonstrative exhibits and additional exhibits for purposes of cross-examination, impeachment, and/or rebuttal.

Respectfully Submitted,

Dated: November 10, 2015

/s/Cornelius J. O'Brien

Cornelius J. O'Brien

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 10<sup>th</sup> day of November 2015, I electronically filed the foregoing Exhibit List with the Clerk of Court using the CM/ECF system, which will then send notification of such filing (NEF) to the following:

Daniel B. Volk, Esq.  
United States Department of Justice  
Commercial Litigation Branch, Civil Division  
P.O. Box 480  
Ben Franklin Station  
Washington, DC 20004

Paul J. Hogan  
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